

COPY

ALLIA.062A

PATENT

POWER OF ATTORNEY BY ASSIGNEE  
AND  
EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71

To the Commissioner of Patents and Trademarks:

The undersigned is empowered to act on behalf of the assignee indicated below (the "Assignee"). The original Assignment of the attached application for Letters Patent for the invention in STABILIZED MICROBUBBLE COMPOSITIONS, Serial No. 08/099,951, filed July 30, 1993, from the inventors to the Assignee has been submitted to the Assignment Branch for recordation. A true copy of this Assignment is attached hereto. I have reviewed the attached Assignment and hereby certify that to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire interest and title in the application for Letters Patent for the invention referred to above.

I declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

The Assignee hereby appoints Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365; William H. Nieman, Registration No. 30,201; John C. Lambertsen, Registration No. 29,400; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Hamilton, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No.

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33,043; William C. Rooklidge, Registration No. 31,791; Joseph R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678; Stephen C. Jensen, Registration No. 35,556; Michael Fedrick, Registration No. 36,799; James F. Sweeney, Registration No. 32,445, Nancy Ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; Myra H. McCormack, Registration No. 36,602; Renee E. Rogers, Registration No. 36,657; Guy L. Cumberbatch, Registration No. 36,114; Michael L. Fuller, Registration No. 36,516; and George T. Parsons, Registration No. 34,690, Knobbe, Martens, Olson & Bear, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (619) 235-8550, as its attorneys to prosecute this application and to transact all business in the Patent Office connected therewith, said appointment to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all communications relative to said application to the following correspondence address:

Knobbe, Martens, Olson & Bear  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660

Telephone: (619) 235-8550

Assignee: ALLIANCE PHARMACEUTICAL CORP.

By : Theodore Roth  
Title : Executive Vice President

Address : 3040 Science Park Road  
San Diego, California 92121

Dated: October 28, 1993

COPY

Applicant or Patentee: Schutt et al.  
Serial or Patent No. : 08/099,951  
For: STABILIZED MICROBUBBLE COMPOSITIONS

Attorney's Docket No.: ALLIA.062A  
Filed or Issued: July 30, 1993

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN)

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: ALLIANCE PHARMACEUTICAL CORP.  
ADDRESS OF CONCERN 3040 Science Park Road, San Diego, California 92121

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. Furthermore, the concern has not assigned, granted, conveyed or licensed, and is under no obligation to assign, grant, convey or license any rights to the invention to any entity who would not be classified as a small entity.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled STABILIZED MICROBUBBLE COMPOSITIONS by inventor(s) Ernest G. Schutt, David P. Ewitts, Rene Alta Kinner, Charles David Anderson, and Jeffery G. Weers described in

- ☐ the specification filed herewith  
☒ application serial no. 08/099,951, filed July 30, 1993  
☐ patent no. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME:

ADDRESS:

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

FULL NAME:

ADDRESS:

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

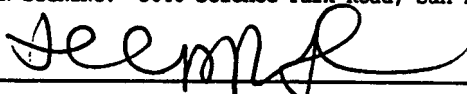
☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Theodore Roth  
TITLE OF PERSON OTHER THAN OWNER: Executive Vice President  
ADDRESS OF PERSON SIGNING: 3040 Science Park Road, San Diego, California 92121

SIGNATURE



DATE:

October 28, 1993

COPY

## ASSIGNMENT

PATENT

WHEREAS, I, Charles David Anderson, a citizen of the United States of America, residing at 27 Potterstown Road, Lebanon, New Jersey, 08833, have invented certain new and useful improvements in a STABILIZED MICROBUBBLE COMPOSITIONS for which I have executed an application for Letters Patent in the United States, Serial No. 08/099,951, filed July 30, 1993;

AND WHEREAS, ALLIANCE PHARMACEUTICAL CORP., a New York Corporation, with its principal place of business at 3040 Science Park Road, San Diego, California, 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20<sup>th</sup> day of October 1993.

Charles David Anderson  
Charles David Anderson

STATE OF New York

COUNTY OF Orange

]] ss.

On October 20, 1993, before me, Linda M Wood, personally appeared Charles David Anderson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

LINDA M. WOOD  
Notary Public, State of New York  
No. 4957414

Qualified in Orange County  
Commission Expires October 16, 1995

CAH-3862

Linda M Wood  
Signature

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PATENT AND TRADEMARK  
OFFICE

REEL 6756 FRAME 588

COPY

ALLIA.062A

ASSIGNMENT

PATENT

WHEREAS, We, Ernest G. Schutt, a citizen of the United States of America, residing at 12139 Ragweed Street, San Diego, California, 92129, David P. Evitts, a citizen of the United States of America, residing at 8440-C Via Mallorca, La Jolla, California, 92037, Rene Alta Kinner, a citizen of the United States of America, residing at 3955 Third Avenue, San Diego, California 92103, and Jeffry G. Weers, a citizen of the United States of America, residing at 12191 Salix Way, San Diego, California 92129 have invented certain new and useful improvements in a STABILIZED MICROBUBBLE COMPOSITIONS for which we have executed an application for Letters Patent in the United States, Serial No. 08/099,951, filed July 30, 1993;

AND WHEREAS, ALLIANCE PHARMACEUTICAL CORP., a New York Corporation, with its principal place of business at 3040 Science Park Road, San Diego, California 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ALLIANCE PHARMACEUTICAL CORP., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 1993

Ernest G. Schutt  
Ernest G. Schutt

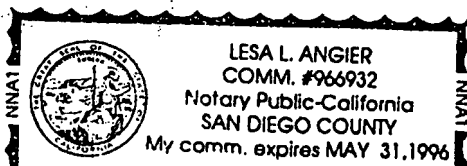
STATE OF California  
COUNTY OF San Diego

ss.  
J

On 10/21/93, before me, Lesal Angier, personally appeared Ernest G. Schutt personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Lesal Angier  
Signature

REEL 6756 FRAME 590

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of October, 1993

David P. Evitts

David P. Evitts

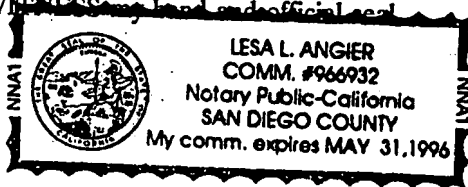
STATE OF California  
COUNTY OF San Diego

]] ss.

On 10/20/93, before me, Lesia L. Angier personally appeared David P. Evitts personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Lesia L. Angier  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of October, 1993

Rene Alta Kinner  
Rene Alta Kinner

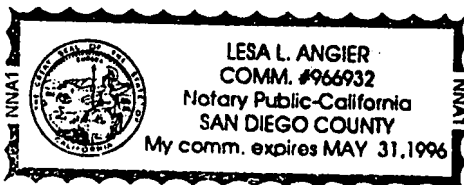
STATE OF California  
COUNTY OF San Diego

]] ss.

On 10/20/93, before me, Lesia L. Angier personally appeared Rene Alta Kinner personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Lesia L. Angier  
Signature

REF 6756 FRAM 591

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20<sup>th</sup> day of October, 1993

  
Jeffrey G. Weers

STATE OF California  
COUNTY OF San Diego

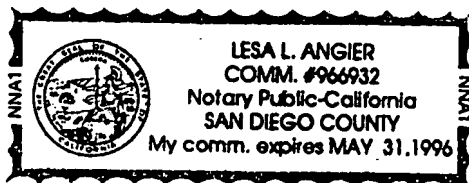
]] ss.  
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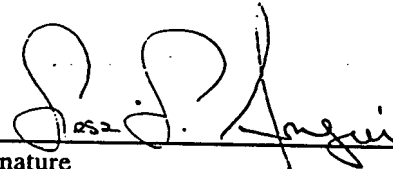
On 10/20/93, before me, Lesia L. Angier personally appeared Jeffrey G. Weers personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal:

[SEAL]

CAH-3864



  
Signature

NOV -5 93

PATENT AND TRADEMARK  
OFFICE

REEL 6756 FRAME 592